

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

GENERAL EMPLOYEES TRUST FUND
and BOARD OF TRUSTEES OF
GENERAL EMPLOYEES TRUST FUND,

Petitioners,

v.

YUL HERMES, an individual,

Respondent.

Case No. 14-cv-04054 NC

**ORDER GRANTING MOTION BY
RESPONDENT YUL HERMES
FOR ISSUANCE OF ORDER
SETTING SEQUENCE AND
SCOPE OF INITIAL
DISCLOSURES, IF ANY**

Re: Dkt. No. 32

This is an action brought under § 301 of the Labor Management Relations Act, as amended, 29 U.S.C. § 185, to enforce an arbitration award against respondent Yul Hermes on an alter ego theory. Dkt. No. 1. Hermes now moves for an order that the action is exempt from the initial disclosure requirements of Federal Rule of Civil Procedure 26(a)(1)(A), or in the alternative, for an order altering the sequence and scope of Hermes's initial disclosures. Dkt. No. 32. Petitioners oppose the motion. Dkt. No. 40. The Court finds the motion suitable for resolution without oral argument, *see* Civ. L.R. 7-1(b), and GRANTS the motion as follows:


The Court finds that this action is exempt from initial disclosures under Federal Rule of Civil Procedure 26(a)(1)(B)(ix). However, the Court has not stayed discovery and nothing in this order prevents the parties from proceeding with discovery.

In his motion, Hermes asserts that petitioners have improperly refused to respond to discovery requests propounded by Hermes on the basis of the pendency of this motion.

1 Dkt. Nos. 32, 42. The parties are reminded that, as set forth in the undersigned Magistrate
2 Judge's civil standing order, discovery disputes must be presented to the Court by filing a
3 joint statement of five pages or less. Prior to the filing of such a statement, the parties must
4 meet and confer to attempt to resolve their dispute.

5 IT IS SO ORDERED.

6 Date: February 19, 2015

7 
Nathanael M. Cousins
United States Magistrate Judge